

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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In Re: Franklin Albert Bennett, III,  
Debtor.

Chapter 13  
Case No. 16-14281-elf

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**ORDER**

**AND NOW**, this day of \_\_\_\_\_, 2018, upon consideration of Debtors Motion for Reconsideration of the Court Granting Motion for Relief from Stay RE: Property Address 516 Brookview Road, Exton, PA 19341 NKA 516 Brookview Rd, Exton, PA 19341-2407., and any response of thereto, it is hereby **ORDERED** that the Motion is **GRANTED**.

**BY THE COURT:**

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U.S.D.C.C.J. Eric L. Frank

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**DEBTORS MOTION FOR RECONSIDERATION OF THE COURT GRANTING  
MOTION FOR RELIEF FROM STAY RE: PROPERTY ADDRESS 516 BROOKVIEW  
ROAD, EXTON, PA 19341 NKA 516 BROOKVIEW RD, EXTON, PA 19341-2407**

Debtor hereby files the above captioned and states as follows:

1. Debtor filed this Chapter 13 on June 14, 2016.
2. On 12/6/16, Debtor filed on behalf of Creditor Citibank, N.A., as trustee for the Wachovia Loan Trust, 2005-SD1 Asset-Backed Certificates, Series 2005-SD1 a proof of claim for a property located at 516 Brookview Road, Exton, PA 19341 and incorrectly identified Creditor as CitiMortgage, Inc for a stated amount of \$10,000.00.
3. Citigroup is the parent company for Creditor Citibank, N.A. and for CitiMortgage, Inc
4. Since 4/26/17, Creditor Citibank, N.A., as trustee for the Wachovia Loan Trust, 2005-SD1 Asset-Backed Certificates, Series 2005-SD1 has had notice of Debtors bankruptcy and has allowed debtor to build on the land subject to the claim.
5. On 1/9/18 Creditor filed a motion for relief from the automatic stay for Debtor failing to provide for Creditor in his plan.
6. On 2/6/18, the court granted the motion as debtor incorrectly listed CitiMortgage, Inc instead of Citibank, N.A..
7. On 2/6/17, Debtor filed an amended proof of claim and amended schedule D correcting creditors name.
8. On 2/6/17, Debtor filed a new proof of claim for Creditor Citibank, N.A., as trustee for the Wachovia Loan Trust, 2005-SD1 Asset-Backed Certificates, Series 2005-SD1

9. On 2/6/17, file a Motion to Amend Plan correcting the name of the Creditor in its Eighth Amended Plan.
10. On 2/6/17, Debtor filed a MOTION TO AMEND PROOF OF CLAIM #10 AND OR ALLOW PROOF OF CLAIM PAST DEADLINE CLAIM 13 seeking the Courts approval to either allow the amended proof of claim or allow the filing of a new claim after the claims deadline has passed.
11. All documents and motions referenced are incorporated by reference.

**WHEREFORE**, Debtor request that his motion be granted.

**Respectfully submitted,**

**/s Franklin A. Bennett III**

Franklin A. Bennett III, Esq. (201709)  
Attorney and Debtor  
4700-12 Castor Avenue  
Philadelphia, PA 19124  
215-744-5550 (office)

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**CERTIFICATE OF SERVICE**

I, Franklin A. Bennett III, hereby certify that on 2/6/18, a true and correct copy of the foregoing Motion was filed electronically and is available for viewing and downloading from the ECF system. I further certify that all parties of record are participants in, and will receive electronic service through the ECF system.

Further, I served **Citibank, N.A., as trustee for the Wachovia Loan Trust, 2005-SD1 Asset-Backed Certificates, Series 2005-SD1** via regular mail care of (c/o) the following:

c/o WELLS FARGO BANK N A  
3476 STATEVIEW BOULEVARD  
FORT MILL, SC 29715

c/o Robert P. Wendt, Esq.  
Phelan Hallinan, Diamond & Jones, LLP  
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555 Grant Street, Suite 300  
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Senior Bankruptcy Associate  
Phelan Hallinan Diamond & Jones, LLP  
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c/o Milstead & Associates, LLC  
220 Lake Drive East, Ste 301  
Cherry Hill, NJ 08002

**Respectfully submitted,**

**BENNETT & ASSOCIATES, LLC**

**/s Franklin A. Bennett III**

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Attorney and Debtor

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